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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,883	08/12/2005	Hideki Komatsu	080306.56378US	8841
23911	7590	11/15/2007		
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			EXAMINER CAVALLARI, DANIEL J	
			ART UNIT 2836	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/538,883

Applicant(s)

KOMATSU ET AL.

Examiner

Daniel Cavallari

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5,6 and 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-11 and 13 is/are rejected.
- 7) ☒ Claim(s) 5,6,12,14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Examiner acknowledges the preliminary amendments submitted 8/12/2005. Cancellation of claims 1-4, 7-8, and new claims 10-15 and amendments to claim(s) 5, 6, & 9 are accepted.

Information Disclosure Statement

The information disclosure statement(s) filed 6/14/2005 has been considered. The Examiner notes that the US reference 2001/0029051 to Hyodo et al. is for a "Carbonaceous protective layer, magnetic recording medium, production method thereof, and magnetic disk apparatus" whereas applicants invention is directed a vehicle GPS alarm.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9-11 & 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Coffee et al. (US 6,611,755).

Art Unit: 2836

In regard to Claim 10

An antitheft system provided with:

- A control system (Figure 25) arranged on a self-propelling movable object with an engine mounted thereon as a drive source and having a position detecting means for detecting a position of said movable object (219, Figure 25), a transmission/reception means (GPS antenna, figure 26) for performing a transmission/reception to/from an outside and a processing means (216, Figure 25) for performing predetermined processing operations including outputs of run commands to said position detecting means and said transmission/reception means, and a control server (10, Figure 1) arranged at a place different from said movable object for controlling information on said movable object, said information comprising position information detected by said position detecting means and transmitted via said transmission/reception means, characterized in that said antitheft system comprises:
- A clocking means (203, Figure 25 & Column 49, Lines 20-38) [The Examiner notes that the CPU instructs the microcontroller 216 to "turn off power for time intervals between 5 and 630 minutes, or until the ignition is turned on..."], a first power feeding means (218, Figure 25) for performing feeding of power to at least said position detecting means (219), and a second power feeding means (217) for performing feeding of power to at least said clocking means (203); and said processing means (216) receives signals from said clocking means (as explained above), allows said first power feeding means to continuously feed power until a

first predetermined time elapses from a time point at which a stop signal for said engine is inputted, and after an elapse of said first predetermined time (as explained above), repeatedly outputs an instruction signal, which permits feeding of power, at predetermined time intervals to said first power feeding means (read on by the on/shutdown signal, or particularly the "on" signal in this instance).

In regard to Claim 11

- Wherein said processing means reads said position information on said movable object as detected by said position detecting means whenever said instruction signal (read on by the on/shutdown signal, or particularly the "on" signal in this instance) which permits said feeding of power, is outputted at said predetermined time intervals to said first power feeding means, and after completion of said reading of said position information, instructs said first power feeding means to stop feeding of power (See Column 49, Line 63 to Column 50, Line 6) [The Examiner points out the sleep mode wherein "When the CPU is turned back on, it can listen for any new message or other data, respond and then turn off again..."]

In regard to Claim 13

- An antitheft system according to claim 11, wherein, when a second predetermined time has elapsed subsequent to an elapse of said first predetermined time, said processing means instructs said transmission/reception

means to transmit said position information on said movable object, which was detected lastly by said position detecting means, and a signal, which communicates that a transmission/reception to/from said outside via said transmission/reception means is disabled, to said control server [The Examiner notes that Coffee et al. teaches the power being periodically turned on and off and therefore after a second predetermined time (eg. second period), the transmission/reception means is powered off (disabled)].

In regard to Claim 9

- Wherein, when said movable object is determined to have been stolen, said processing means outputs a instruction signal, which permits continuous feeding of power, to said first power feeding means (read on by the "Full on" mode, See Column 49, Lines 53-55).

Allowable Subject Matter

Claims 5, 6, 12, 14, & 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In regard to claims 5, 14, & 15

Claim 5 (to which 14 & 15 depend) recites a storage means for storing the position information detecting by the detecting means and processing means that compares the position information stored in the storage means and when a distance greater than a predetermined amount has been determined, determines that the object is stolen. Although Yoshioka et al. (US 6,696,982) teaches storing a vehicle location and determining when the location has exceeded a predetermined distance and sending an alarm signal (See Column 2, Lines 43-62), there is a lack of motivation to combine Yoshioka et al. with Coffee et al.

In regard to Claims 12 & 6

Claim 12 (to which 6 depends) recites when the command signal has been outputs a predetermined number of times during the predetermined time intervals to the power feeding means the processor instructs the transmission/reception means to transmit the position information and signal which communicates to the control server that the transmission is disabled, which is not taught in prior art of record and therefore allowable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Mansell et al. (US 5,223,844)

- Flick (US 6,507,786)
- Flick (US 6,509,868)
- Flick (US 6,512,465)
- Flick (US 6,512,466)
- Hillman et al. (US 6,522,265)
- Flick (US 6,522,267)
- Flick (US 6,693,563)
- Flick (US 6,703,946)
- Sashida (US 6,717,508)
- Flick (US 6,737,989)
- Flick (US 6,741,187)
- Flick (US 6,744,384)
- Flick (US 6,765,499)
- Flick (US 6,765,500)
- Flick (US 6,771,188)
- Flick (US 6,784,809)
- Flick (US 6,798,355)
- Flick (US 6,798,356)
- Flick (US 6,803,861)
- Flick (US 6,804,605)
- Flick et al. (US 6,809,659)
- Flick (US 6,816,089)

- Flick (US 6,819,269)
- Flick (US 6,844,827)
- Arakawa et al. (US 6,856,879)
- Flick (US 6,888,495)
- Flick (US 6,924,750)
- Flick (US 6,972,667)
- Flick (US 7,015,830)
- Flick (US 7,031,835)
- Ando et al. (US 7,102,491)
- Mizui et al. (US 7,110,728)
- Arkawa et al. (US 7,149,530)
- Flick (US 7,149,623)
- Haave et al. (US 7,171,187)
- Park (US 7,176,788)
- Arakawa et al. (US 7,183,666)
- Oyagi et al. (US 7,212,103)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Cavallari whose telephone number is 571-272-8541. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

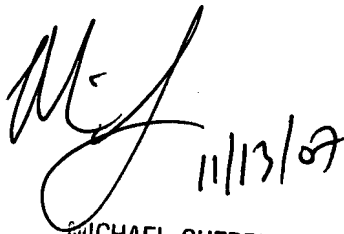
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571)272-2800 x36. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Cavallari

November 9, 2007


11/13/07
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